

EXHIBIT 5

STATE OF INDIANA) MARION SUPERIOR COURT, No. 10
) SS:
 COUNTY OF MARION) CAUSE NO. 49D10 1512 PL 042133

NATIONAL BOARD OF OSTEOPATHIC)
 MEDICAL EXAMINERS, INC., an Indiana)
 Non-profit corporation,)

Plaintiff,)

vs.)

AJAY BAHL,)

Defendant.)

FILED

95 JUL 23 2018

Mylen A. Eldridge
 CLERK OF THE MARION CIRCUIT COURT

JUDGMENT

On March 28, 2018, the Court entered judgment for the plaintiff, National Board of Osteopathic Medical Examiners, Inc., against defendant, Ajay Bahl, on the issue of defendant's liability to plaintiff for breach of contract, namely defendant's breach of the forum selection clause.

On June 1, 2018 the parties appeared by their respective counsel and the Court heard and received evidence regarding plaintiff's claim for damages caused by defendant's breach of the forum selection clause. In response to defendant's objections, the Court continued the hearing to allow the defendant to review documents supporting plaintiff's damage summary. On July 23, 2018, and the parties again appeared by their respective counsel, and the Court heard and received further evidence regarding plaintiff's damage claim and fees and costs incurred in this action.

The Court, being duly advised, now finds and concludes that the monetary damages proximately caused by defendant's breach of contract and recoverable by plaintiff, specifically by defendant's filing his claims against plaintiff in the United States District Court, Eastern District of New York in violation of the forum selection clause, are in the amount of \$277,718.66.


The Court further finds and concludes that NBOME incurred reasonable attorneys' fees and costs in this action in the amount of \$64,126.45, and that pursuant to the terms and conditions

accepted by the defendant, plaintiff is entitled to recover from defendant those attorneys' fees and costs in the amount of \$64,126.45, in addition to the damages recoverable by plaintiff.

IT IS THERFORE ORDERED, ADJUDGED AND DECREED, judgment for plaintiff on the issue of defendant's liability to plaintiff having been entered on March 28, 2018, the Court now assesses damages for plaintiff, National Board of Osteopathic Medical Examiners, Inc., against defendant, Ajay Bahl, in the amount of \$277,718.66.

The Court further orders defendant to pay to plaintiff attorneys' fees and costs incurred in this action in the amount of \$64,126.45, in addition to the damages recoverable by plaintiff.

SO ORDERED: 7/23, 2018.



Honorable David J. Dreyer
Judge, Marion Superior Court, No. 10

Distribution: All attorneys of record via the Court's ECF system